REMARKS

This paper is responsive to the *non-final* Office action dated August 12, 2010. Claims 3-23 were examined. All claims are rejected. Applicants respectfully traverse as set forth below.

Claim Rejections – 35 U.S.C. § 101

Claims 16-18 and 22-22 stand rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. Rejections of claims 16-18 and 22-22 are based on the Office's view regarding non-statutory subject matter under *Bilski*. In the interest of expediting prosecution and to address the concerns expressed by the Examiner, Applicants amend claim 16 to clarify that the system is at least partially implemented in hardware. Claims 16-18 (as amended) are **allowable** and a notice to that effect is respectfully requested.

Rejections of claims 21-22 are based on the Office's view regarding software *per se*. To accommodate the Examiner and consistent with the material that follows, Applicant has amended to recite *non-transitory* computer readable media. The amendment is in keeping with guidance provided by the Office in January of 2010 in which the Under Secretary Kappos states:

1. that consistent with the Office's obligation to give claims their broadest reasonable construction and in view of the Federal Circuit's 2007 decision in *In re Nuijten*, claims directed to a computer readable medium may be viewed as encompassing a signal *per se*;

2. that such claims may be amended to narrow scope to cover only statutory embodiments by adding the limitation "non-transitory"; and

3. that such amendment does not typically raise the issue of new matter, even when the specification is silent as to non-transitory and signal *per se* embodiments.

Subject Matter Eligibility of Computer Readable Media, 1351 OG 212 (2010). Consistent with the foregoing, and solely to clarify that the present claims are not intended to cover a transitory signal (or energy) *per se*, Applicant has amended claims 21-22 to recite the limitation "non-transitory". Withdrawal of the § 101 rejection as to claims 21-22 is therefore appropriate. Claims 21-22 (as amended) are **allowable** and a notice to that effect is respectfully requested.

Claim Rejections – 35 U.S.C. § 103

Claims 3-20, 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhao et al. (US Patent No. 7,124,295) in view of Bisbee et al. (US PGPUB No. 20040093493). Applicants respectfully traverse as set forth below.

According to the Office, *Zhao* does not specifically disclose that "*the first hash value [is] computed as a function of a resultant state CRL(t+1) and a second hash value as a function of resultant local CRL state*," but *Bisbee* does. (Office Action pg. 5). *Zhao* discloses, at best, a delta CRL technique without use of any hash, let alone a hash over the specific items recited by Applicant in its claims. The Office Action cites Bisbee for the hash limitation.

Bisbee uses the terms "delta CRL" and "hash" in the same document, though not in any way remotely pertinent to Applicant's claims. In particular, *Bisbee* does not disclose a hash over resultant state CRL(t+1) computable by applying a delta CRL to a CRL(t) state. Rather, *Bisbee* teaches "[t]o create a digital signature, an information object is hashed (processed using a one-way cryptographic function that can detect as little as a one bit alteration in the object) and the hash is then encrypted using the individual's private (secret) key." (paragraph [0008]). Similarly, *Bibsee*'s hash is used in "[c]reating a digital signature block [including] computing one or more content hashes for the one or more information object fragments or for the whole information object, computing a hash over the one or more content hashes and any appended data, such as the local date and time, signing rationale, or an instruction, encrypting the computed hash using the signing party's private key, thereby forming the signer's digital signature." (paragraph [00120]). Bisbee merely discloses a hash of a general "information object fragment." Neither of these hash examples from *Bisbee* provides any teaching or suggestion of use of a hash over resultant state CRL(t+1) computable by applying a delta CRL to a CRL(t) state.

Accordingly, no reasonable interpretation of *Zhao* and/or *Bisbee* discloses or suggests, whether the references are taken alone or in combination, a delta CRL mechanism as recited in the various independent claims wherein a **hash over resultant state** (e.g., a state CRL(t+1) that results after application of a particular delta CRL to an appropriate base state CRL(t)) is received transmitted, encoded or used in association with the particular delta CRL, such as to validate

update to the resultant state. Thus, the Office has not made out a *prima facie* case of obviousness and Applicants respectfully request that the rejections under Section 103 be withdrawn.

Conclusion

In summary, claims 3-23 are in the case. All claims are believed to be allowable over the art of record, and a Notice of Allowance to that effect is respectfully solicited. Nonetheless, if any issues remain that could be more efficiently handled by telephone, the Examiner is requested to call the undersigned at the number listed below.

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Kirk Dorius — 12-13-10

Kirk Dorius — Date

Respectfully submitted,

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